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TC 1700

RUH-284

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : C. Cooke
HAGMEYER et al :
Serial No.: 09/937,524 : Group: 1725
Filed: September 25, 2001 :
For: CATALYSTS...THEIR USE :

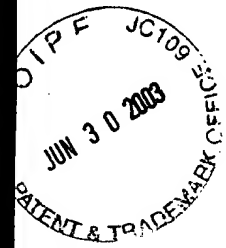
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DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Alfred Hagmeyer hereby deposes and says:



That he is one of the inventors of the above-identified application and that the following tests were conducted under his direction to demonstrate the superiority of the catalyst with respect to the catalyst of U.S. Patent No. 5,990,344.

Base Catalyst

A base catalyst was prepared by the procedure of Example 1 of the above invention, Thus, P25 titania support (Degussa) was impregnated with palladium and gold acetate. After removal of the solvent, reduction using a mixture of 4 Vol.-% H₂ in N₂ was conducted at a room temperature of 500°C. The base catalyst was split into several samples, which were treated as follows:

C. The base catalyst was split into several samples, which were treated as follows:

Catalyst A

The base catalyst was impregnated with a solution of potassium acetate to yield a catalyst containing a 40 g/l of potassium acetate. Catalyst A was prepared according to the instant application.

Catalyst B

The base catalyst was sintered at 800°C for 11 hours under a flow of a mixture containing 4 Vol.-% H₂ in N₂. According to page 4, lines 12-13 of Patent NO. 5,990,344, the gaseous reducing agent can be diluted with an inert gas such as nitrogen. After such sintering treatment, the catalyst was impregnated with a solution of potassium acetate.

During the impregnation of the sintered catalyst with the potassium acetate solution, it was observed, that the water adsorption of the catalyst had decreased by at least 50% and that the catalyst volume had decreased from ca. 83 to ca. 47 ml.

Catalysts A and B were tested for the synthesis of vinyl acetate. For said testing, Catalyst B was diluted with P25 inert due to the extensive support shrinkage during the sintering step.

The performance of Catalysts A and B are shown in Table I

Table I vinyl acetate formation in the presence of Catalysts A and B, based on titania.

| Catalyst Number | Catalyst A | Catalyst B |
|-------------------------|-------------------------------|-------------------------------|
| | Pd/Au acetates on P25 | |
| Support Size/shape | 3.6 mm dia cylin | 3.6 mm dia cylin |
| Reduction | 1 h, 500°C, 4% G ₂ | 1 h, 500°C, 4% H ₂ |
| Sintering | none | 800°C under 4% H ₂ |
| Sel. to CO ₂ | 8.539 | 16.360 |
| STY, g VA/1-hr. | 792.614 | 672.42 |

CO₂-selectivity in percent, based on reacted ethylene.

CONCLUSION

The above-mentioned data clearly demonstrates that the sintering treatment of U.S. Patent No. 5,990,344 has a detrimental effect on CO₂-formation and the space-time yield if a catalyst is used, which is based on titania, produced through the flame hydrolysis of TiCl₄. Hence, the above-mentioned data clearly reveal that the catalysts of the patent are different from the catalyst claimed in the above application.

The superior performance of the inventive catalysts in view of catalysts based on SiO₂ was already demonstrated in the specification. The comparison of Example 1 (P25 titania supported) with Comparison Example 5 (KA-160, Sudchemie, SiO₂-support), as disclosed on page 24 of the specification clearly show an improvement with regard to selectivity and space-time yield.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Celanese Chemicals Europe GmbH

Date:

Alfred Hagmeyer